

108TH CONGRESS
2D SESSION

S. RES. 291

To authorize testimony and legal representation in the case of James McKoy
v. North Fork Services/Joint Venture.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2004

Mr. FRIST (for himself and Mr. DASCHLE) submitted the following resolution;
which was considered and agreed to

RESOLUTION

To authorize testimony and legal representation in the case
of James McKoy v. North Fork Services/Joint Venture.

Whereas, in the case of James McKoy v. North Fork Services/Joint Venture, No. 2004–CAA–00002, pending before the United States Department of Labor, testimony has been requested from Resi Cooper, an employee in the Long Island office of Senator Hillary Rodham Clinton;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and rule XI of the Standing Rules of the Senate, no evi-

dence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

1 *Resolved*, That Resi Cooper is authorized to testify
 2 in the case of James McKoy v. North Fork Services/Joint
 3 Venture, except concerning matters for which a privilege
 4 should be asserted.

5 SEC. 2. The Senate Legal Counsel is authorized to
 6 represent Resi Cooper in connection with the testimony
 7 authorized in section one of this resolution.

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